

Mobile Applications” by Puri et al. in view of “Error Correction and Concealment for Video Communication: A Review” by Wang et al.

Turning now the merits, in order to expedite issuance of a patent in this case, Applicants have canceled Claims 2, 4, 6, 8, 10, and 11. Applicants respectfully submit that the remaining pending Claims 1, 3, 5, 7, 9, and 12-15 clearly patentably define over the cited references. Specifically, Applicants' independent Claims 1 and 14 recite a communications node and packet transfer method including dividing a packet to be transmitted into segments to form a plurality of packet segments, and selecting an error correction scheme from among a plurality of error correction schemes to be employed for each of the packet segments in accordance with error resistance of each of the packet segments. Also recited is carrying out an error correction process on each packet segment with the selected error correction scheme, and transmitting each process packet segment to a network.

Thus, Applicants' Claims 1 and 14 recite that the selection of an error correction scheme is based on the error resistance of each of the packet segments. Therefore, when a header portion in a payload portion of a packet to be transmitted have different error resistance characteristics, the packet can be transmitted to a network under selection of error correction schemes suitable for the respective error resistance characteristics.¹ As described in the Amendment filed January 31, 2003, this feature of the claimed invention helps mitigate the prior art problem of reduced throughput caused by an entire packet being discarded if a bit error occurs in the header portion of the packet.

The Official Action acknowledges that the reference to Puri et al does not disclose an error correction method, but cites Wang et al as teaching various schemes of error detection. In response to Applicants' argument that neither Puri et al nor Wang et al disclose selecting

¹Applicants' specification at page 3, lines 18-21.

an error correction scheme in accordance with error resistance of each of the packet segments, the Official action cites Wang et al as follows:

‘...In addition, an optimal system should adapt its source-coding algorithm and transport-control mechanism to the network conditions [i.e., ‘error resistance’] so that the best end-to-end service quality is achieved’ [page 995, middle left hand column].

Thus, although selecting an error correction scheme in accordance with network conditions might be broadly disclosed by Wang et al., Applicants respectfully submit that the cited portion of Wang et al. in no way teaches or suggests the limitation of selecting an error correction scheme in accordance with error resistance of each of the packet segments.

First, the bracketed portion of the cited portion of the Official Action indicates that the Official Action equates “network conditions” with “error resistance”. Although the error resistance of the packet segment may depend on the network conditions as pointed out by the Official Action, the error resistance also depends on content of the packet segment. For example, the error resistance of the packet segment of MPEG 4 is different from that of another format data. It is clear that the phrase “the network conditions” in Wang et al. does not suggest “the error resistance in accordance with content of the packet segment.” Thus, the brief reference to “network conditions” in Wang et al. cannot be equated to “error resistance” as recited in independent claims 1 and 14.

Moreover, even assuming “network conditions” can be equated to “error resistance,” Wang et al. in no way suggests selecting an error correction scheme in accordance with error resistance of each of the packet segments. As noted above, this feature, in combination with the other claimed features of Claims 1 and 14, provides improved throughput over the prior art systems. However, the Official Action simply concludes that it would be obvious to modify the cited references to include this feature, without explaining why one of ordinary

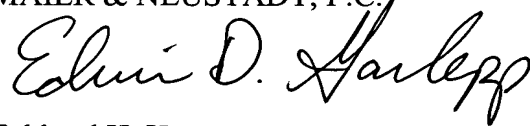
skill in the art would be motivated to modify the cited references. It is Applicants' position that one of ordinary skill in the art would not be motivated to modify Puri et al or Wang et al to include selecting an error correction scheme in accordance with error resistance of each of the packet segments, without the benefit of Applicants' disclosure in the present case. Thus, the obviousness rejection of the outstanding Official Action is based on impermissible hindsight reasoning.

As independent Claims 1 and 14 as amended patentably define over the cited references as discussed above, the remaining claims pending in the present application also patentably define over the cited references as these remaining claims depend from independent Claims 1, and 14.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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